

MISCELLANEOUS

School Employee Claims

V. FACT FINDING GUIDE

Base Period Wages

1. Did the claimant work for a public elementary, or secondary school or university?
2. Did the claimant work for a private, nonprofit school or organization?
 - a. Is the employer a Charter School?
 - b. Is the employer a Church Sponsored school?
3. Did the claimant work for a public government entity performing services at a school?
4. Did the claimant work for a private, nonprofit organization providing educational services to a school?
5. If claimant is employed by public entity or private, nonprofit organization supporting educational activities, what percentage of his or her time is spent working to support educational activities?
6. Is this a Head Start program?
 - a. Is the Head Start program operated by a private, nonprofit organization?
 - b. Is it operated or under the control of the school board?
 - i. Do the Head Start employees have the same employment rights as the employees of the school district?
 - ii. Is the Head Start program operated on the public school grounds?
7. Is the employer a preschool?
 - a. Does the preschool have an academic curriculum?
 - b. Do the preschool teachers have teaching certificates?
 - c. Is the facility licensed as a childcare facility or a school?
 - d. Do the students receive academic credits?
 - f. Does the facility maintain a regular, organized body of students?
9. Is the employer a Migrant Child Development Program? (If yes, see questions above under Head Start.)
10. Were the wages earned in a public school or private nonprofit school or school supportive employer in another state?
11. Is the employer a for-profit school employer?
12. Is the employer a military dependent's school or a school operated by the federal government under the Bureau of Indian Affairs?

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13. Is the claimant a student at the same school where the claimant is working?
14. Is the claimant's spouse a student at the school where the claimant is working?
Is the job part of the spouse's financial assistance package to attend there?
15. Is the claimant working for the employer as part of a work-study program?

Attachment to a School Employer

1. Is the claimant expecting to return to work for the claimant's most recent school or school supportive employer?
2. Is the claimant expecting to return to work for any of the base period school or school supportive employers?
3. Is the claimant expecting to work for any school or school supportive employer in the next year or term?

School Recess Period

1. Is the claim filed during a recess, vacation or holiday period or paid sabbatical?
(If no, there is no issue under CUIC Section 1253.3)
2. What are the beginning and ending dates of the recess period?
3. Is the recess a traditional academic year summer recess, holiday or vacation period?
4. Is the recess period an off-track period for a year-round school?
5. If the claimant works for more than one school or school supportive employer, are all of the employers in a recess period? If no, does the claimant have work with the employer(s) who is not in a recess period?
6. Has the school or school supportive employer offered work to the claimant during the recess period? If yes, what are the beginning and ending dates of that work?
7. What is the claimant's job title, and what type of work does the claimant do?
8. Does the claimant have a contract that specifies what years or terms the claimant will work?
9. Has there been a reduction in the contract work?

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10. Has the claimant completed the work as agreed to in the contract, or has the term of the contract ended?

Reasonable Assurance

1. Has the claimant been notified by a school or school supportive employer that the claimant has reasonable assurance to return to work for a school or school supportive employer at the end of the recess period or paid sabbatical?
2. How was the claimant notified?
3. What is the return to work date?
4. What date was the offer made, either verbally or in writing?
5. Is the work that the employer offered in the same or similar capacity? If not, what has changed? Are the job duties different? Is the type of employer different? Is there a 20 percent reduction in wages or hours?
6. Did the person who offered the work have the authority to do so?
7. Is the offer of work contingent on enrollment, funding or program changes?
8. Is the claimant a temporary employee?
9. Is the claimant a substitute employee?
10. If there are multiple school employers in the base period, have any of them offered the claimant work for the next term?
11. If the claimant was offered reasonable assurance to return to work, but did not return to work, what is the reason?

Retroactive Payment of Benefits

1. When was the claimant notified that the offer of reasonable assurance was withdrawn?
2. What type of work does the claimant do? (If the claimant is a professional school or school supportive employee, retroactive benefits can not be paid.)
3. How was the claimant notified of the withdrawal of the reasonable assurance, and by whom? Did that person have the authority to withdraw the offer of work?
4. If the claimant is a substitute employee, did the claimant work during the first 30 days of the new academic year? Why not?

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5. If the claimant was untimely in requesting retroactive payment of benefits, or in submitting claim forms, what was the reason for being untimely?